

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,)	Case Number 08-cv-00654-bbc
)	
Plaintiff,)	
)	
v.)	
JOHN A. MENGEL,)	
CHRISTINE MENGEL,)	
MEMORIAL HEALTH CENTER INC.,)	
MARSHFIELD CLINIC, and)	
HEALTHSOUTH SURGERY CENTER,)	
)	
Defendants.)	
)	

U.S. DISTRICT COURT
WEST DIST. OF WISCONSIN

APR 29 2010

ORDER CONFIRMING SALE

On reading and filing the report of the United States Marshal for the Western District of Wisconsin, appointed under the judgment entered in the above action to make sale of the premises described in the complaint herein, and it appearing by due proof that due notice of the application to confirm said report and sale was given by mail to all parties or their authorized representatives; and it appearing that the said United States Marshal in making said sale has in all things complied with the judgment of foreclosure heretofore entered in this case, and the statutes in such case made and provided; that the monies arising from said sale were insufficient to pay the whole amount adjudged to the plaintiff, United States of America, together with interest and costs, the deficiency in that respect being in the amount of \$201,867.34. A deficiency judgment is not being sought in this action.

Now, therefore, on application of Megan McDermott, Assistant United States Attorney, Office of the United States Attorney for the Western District of Wisconsin, attorney for the plaintiff,

IT IS ORDERED:

1. That the sale of the mortgaged premises involved in the above action to Jason Willis Johnson and Dean Albert Johnson, for the sum of \$75,000.00, and the United States Marshal's report of sale as filed herein, be and the same are hereby in all things approved and confirmed.

2. That upon the entry and filing of this Order with the Clerk of the United States District Court for the Western District of Wisconsin, and upon the payment of the balance due to the United States Marshal, the United States Marshal shall deliver the United States Marshal's Deed for the premises involved in this action to:

Jason Willis Johnson
Dean Albert Johnson
[REDACTED]
Brantwood, Wisconsin 54513-9005

3. That the United States Marshal's costs are as follows:

(a) Pre-Judgment Costs (as shown in Judgment)	\$ 495.00
(b) Fee	\$ 880.00
(c) Mileage	<u>\$ 228.00</u>

TOTAL EXPENSES \$1,603.00

The expenses owed to the United States Marshal's Service are to be paid from the proceeds of the sale.

4. That the United States Attorney's costs are as follows:

(a) OUSA Fee	\$200.00
(b) Filing Fee	\$ 20.00
(c) Publishing Fee	\$335.88
(d) Updated Title Opinion	<u>\$ 60.00</u>
TOTAL EXPENSES	
	<u>\$615.88</u>

The expenses owed to the United States Attorney's Office are to be paid from the proceeds of the sale.

5. That the real estate transfer fee for recording the United States Marshal's Deed for the property is \$244.20. A check for this amount, payable to the Price County Register of Deeds, should be mailed by the United States Marshal to the purchaser listed in paragraph 2 above, along with the United States Marshal's Deed.

6. That upon application to the Clerk, a writ of assistance shall be issued in order to secure possession of the mortgaged premises in accordance with the judgment and Fed. R. Civ. P. 70(d).

Entered this 28th day of April, 2010.

BY THE COURT:

Barbara B. Crabb
BARBARA B. CRABB
Chief United States District Judge
Western District of Wisconsin